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November 12, 2021

**BY ECF**

Hon. Naomi Reice Buchwald  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, New York 10007

**Re: *In re Aegean Marine Petroleum Network, Inc. Securities Litigation*,  
No. 18 Civ. 4993 (NRB)**

Dear Judge Buchwald:

We represent Dimitris Melissanidis and write in response to lead plaintiff's motion for an order preliminarily approving a partial settlement with PricewaterhouseCoopers Auditing Company S.A. and preliminarily certifying a settlement class, among other things. (ECF No. 328). Mr. Melissanidis does not oppose lead plaintiff's settlement motion. But because Mr. Melissanidis intends to oppose lead plaintiff's forthcoming motion for class certification, we respectfully request that any order granting lead plaintiff's motion include the following language for the avoidance of doubt:

The Court's preliminary certification of the Settlement Class as provided herein is without prejudice to, or waiver of the rights of any defendant other than the Settling Defendant to contest certification of any other class proposed in the Action. The Court's findings in this Order shall have no effect on the Court's ruling on any motion to certify any class in the Action, and no party may cite or refer to the Court's preliminary approval of the Settlement Class as persuasive or binding authority with respect to any motion to certify any such class in this Action.

This language tracks language that this Court has included in similar orders in other cases. *See In re LIBOR-based Fin. Instruments Antitrust Litig.*, No. 11 CIV. 2613, 2020 WL 1059489, at \*9 (S.D.N.Y. Mar. 2, 2020) (Buchwald, J.).

Thank you for your consideration.

Respectfully,

/s/ Matthew L. Schwartz  
Matthew L. Schwartz